

Application No.: 10/082,998
Attorney Docket No.: 03678.0102.CPUS00

REMARKS

Response to Restriction Election

The Examiner has required restriction to one of 25 groups under 35 U.S.C. §121. In response to the Restriction Requirement, Applicants hereby elect the invention of group IV, Claims 1-9, drawn to compounds of Formula I, wherein A is OR₁, SR₁ or NR₁R₂, such that OR₁ and SR₁ are not OH and SH.

Applicants expressly reserve the right to prosecute claims directed to the remaining allegedly distinct groups in one or more continuing or divisional applications.

Response to Species Election Requirement

Applicants are required under 35 USC §121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR §1.141.

In response to the Species Election Requirement, Applicants are making the following election:

X₁, X₂, X₃, are all = O;

the sum of m+n+p is 2;

D is O;

Y = OR₄, Z = OR₅, where R₄ and R₅ are linked directly to the two 2' and 3' oxygens of the furanose via a common carbon atom to form an acetal or ketal according to Formula III;

B is a pyrimidine of general Formula V;

R₁ is hydrogen, alkyl, cycloalkyl or taken together to form a cycloalkyl ring; with the exception that OR₁ and SR₁ are not OH or SH.

Claims 1-3 and 5-9 are readable upon the elected species.

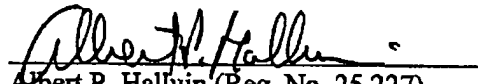
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CONCLUSION

Applicants believe that the application is in good and proper condition for allowance. Early notification of allowance is earnestly solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 463-8109.

Respectfully submitted,

Date: July 3, 2003

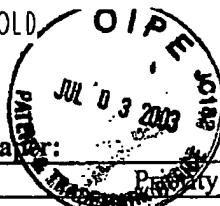

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IDENTIFICATION OF APPLICATION

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|--|--------------------------|----------------------------------|--|
| Serial No.: 10/082,998 | | Responsible Attorney: APH/VTK | |
| Title: COMPOSITIONS AND METHOD FOR TREATING EPITHELIAL AND RETINAL TISSUE DISEASES | | | |
| Applicant: Benjamin R. Yerxa, et al. | | Entered By: jp | |
| Client: Inspire | | Firm File No.: 03678.0102.CPUS00 | |
| Mailed: July 3, 2002 | Filed: February 27, 2002 | Due Date: July 4, 2003 | |